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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
PATEL, HARESH N	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,940	MARTIN ET AL.	
	Examiner	Art Unit	
	Haresh Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11,24-28 and 32-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11,24-28 and 32-40* is/are rejected.

7)☒ Claim(s) *1* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *3/11/2005*.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11, 24-28, 32-40 are presented for examination. Claims 12-23, 29-31 are cancelled.

Response to Arguments

2. Applicant's request, dated 9/23/2004, for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action, dated 7/20/2004, is withdrawn.

However, upon further consideration and search, a new ground(s) of rejection is made (please refer to the below rejections of this office action). Applicant's arguments with respect to claims 1-11, 24-28 has been considered, but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claim 1 is objected to because of the following informalities:

Claim 1 mentions "the the operations, which is incorrect.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Amended claims 1, 2, 7, 8, 24, 25, 26, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Amended claim 1 recites the limitations, "the feature", "the mark-up language description". There is insufficient antecedent basis for this limitation in the claim. Since, multiple feature exist in the claim it is not clear which feature is referred by theses limitations.

Amended claims 2, 7, 8, 24, 25, 26, recite the limitations, "the telecommunications service". There is insufficient antecedent basis for this limitation in the claim. Since, multiple services exist in the claim it is not clear which service is referred by theses limitations.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Non-amended claims 32, 37-40, are rejected under 35 U.S.C. 102(e) as being anticipated by Dodrill et al. 6,490,564 (Hereinafter Dodrill), as per paper number 8, dated 11/28/2003.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Non-amended claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodrill in view of Danne et. al. 6,226,286 (Hereafter Danne), as per paper number 8, dated 11/28/2003.

9. Amended claims 1, 24, 25, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep et al. 6,731,625, MCI (Hereinafter Eastep-MCI) in view of Smith II, Julius, 6772,139 (Hereinafter Smith-Julius) and Giordano, III et al, Cisco Technology, 6,370,141 (Hereinafter Giordano-Cisco).

10. As per claims 1 and 24, Eastep-MCI clearly teaches a method for providing telecommunications services (e.g., abstract, col., 2, line 26 – col., 3, line 38), the method comprising the steps of:

mark-up language of operations for performing a call feature or service and instructions describing a telecommunications service (e.g., col., 3, lines 4 – 64),

instantiating a feature object embodying the compiled representation (e.g., col., 11, lines 3 – 65),

instantiating a context object in response to an event that maintains information regarding a present state of the telecommunication feature or service and the context object signalling the

feature object in regard to events occurring with respect to the feature or service (e.g., col., 9, lines 9 – 61),

the feature object responding to such signaling by effecting execution of one or more of the operations to access the compiled representation and to effect execution of the telecommunication service defined by the logic instructions (e.g., col., 6, lines 1 – 58).

However, Eastep-MCI does not specifically mention about parsing and generating a compiled representation of a textual description in a mark-up language and providing a textual description in a mark-up language of a set of logic instructions.

Smith-Julius discloses the well-known concept of generating a compiled representation of a textual description in a mark-up language (e.g., col., 5, lines 8 – 62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI with the teachings of Smith-Julius in order to facilitate generating a compiled representation of a textual description in a mark-up language because the mark-up language compiled representation would help provide the contents of the textual description to the software. The software would help forward the contents of the textual description to the device.

However, Eastep-MCI and Smith-Julius do not specifically mention about execution of operation in the compiled representation of the mark-up language description.

Giordano-Cisco discloses the well-known concept of execution of operation in the compiled representation of the mark-up language description (e.g., figures 2-4, col., 5, line 18 – col., 6, line 38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI and Smith-Julius with the teachings of Giordano-Cisco in order to facilitate execution of operation in the compiled representation of the mark-up language description because the execution would help perform the operation mentioned in the compiled representation of the mark-up language. The operation specified by the compiled representation of the mark-up language would help carry out a task using the software for the device.

11. As per claim 25, Eastep-MCI teaches the telecommunication service is any of a call, a call feature, and subscriber or feature administration (e.g., col., 6, lines 1 – 58).

12. As per claim 28, Eastep-MCI teaches the mark-up language is any of HTML, XML or any extension thereof (e.g., col., 7, lines 8 – 62).

13. Amended claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius and Giordano-Cisco in view of Cooper et al., Westinghouse Electric Corporation, 5,646,947 (Hereinafter Cooper-Westinghouse).

14. As per claim 2, Eastep-MCI, Smith-Julius and Giordano-Cisco teach the claimed limitations rejected under claim 1. However, Eastep-MCI, Smith-Julius and Giordano-Cisco do not specifically mention about a boundary event with respect to the telecommunications service or feature.

Cooper-Westinghouse discloses the well-known concept of a boundary event with respect to the telecommunications service or feature (e.g., col., 3, lines 4 - 61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius and Giordano-Cisco with the teachings of Cooper-Westinghouse in order to facilitate utilizing a boundary event because the boundary event would help know how to process the call. The information of knowing how to process the call would help software to process the call for the device.

15. Amended claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius, Giordano-Cisco and Cooper-Westinghouse in view of Chiu et al., Nortel Networks, 6,597,689 (Hereinafter Chiu-Nortel).

16. As per claim 3, Eastep-MCI, Smith-Julius, Giordano-Cisco and Cooper-Westinghouse teach the claimed limitations rejected under claim 1. However, Eastep-MCI, Smith-Julius, Giordano-Cisco and Cooper-Westinghouse do not specifically mention about utilizing an event indicative of any of call origination or call termination.

Cooper-Westinghouse discloses the well-known concept of utilizing an event indicative of any of call origination or call termination (e.g., col., 4, lines 6 - 46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius, Giordano-Cisco and Cooper-Westinghouse with the teachings of Chiu-Nortel in order to facilitate utilizing an event indicative of any of call origination or call termination because the call origination/termination event would

help know when the call originated/terminated. The information of knowing when the call originated/terminated would help software to process the call for the device.

17. Amended claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius and Giordano-Cisco in view of Ram et al., 5,991,389, Northern Telecom (Hereinafter Ram-Northern).

18. As per claim 4, Eastep-MCI, Smith-Julius and Giordano-Cisco teach the claimed limitations rejected under claim 1. However, Eastep-MCI, Smith-Julius and Giordano-Cisco do not specifically mention about passing notification of at least selected events.

Ram-Northern discloses the well-known concept of passing notification of at least selected events (e.g., col., 6, lines 12 - 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius and Giordano-Cisco with the teachings of Ram-Northern in order to facilitate passing notification of at least selected events because the notification would help know about the selected events. The information of knowing about the selected events would help software to process the call for the device.

19. Amended claims 5, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius, Giordano-Cisco and Ram-Northern in view of Cooper-Westinghouse.

20. As per claims 5, 6 and 7, Eastep-MCI, Smith-Julius, Giordano-Cisco and Ram-Northern teach the claimed limitations rejected under claims 1 and 4. Eastep-MCI also teaches effecting execution via the feature object (e.g., col., 6, lines 1 – 58). However, Eastep-MCI, Smith-Julius, Giordano-Cisco and Ram-Northern do not specifically mention about execution of further operations with respect to the call feature or service and identifying as a boundary event an event notification of which does not result in effecting of execution of further operations.

Cooper-Westinghouse discloses the well-known concept of execution of further operations and identifying as a boundary event an event notification of which does not result in effecting of execution of further operations with respect to the call feature or service (e.g., col., 3, lines 4 - 61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius, Giordano-Cisco and Ram-Northern with the teachings of Cooper-Westinghouse in order to facilitate effecting of execution of further operations and identifying an boundary event/event notification which does not result in effecting of execution of further operations because effecting execution of future operations would help retain the effect of processing the call in future calls. Handling the boundary event/event notification independent of the future calls execution would help handle the call to be processed regardless of how the future calls will be handled. The information of knowing about the boundary event/event notification would help software to process the call for the device.

21. Amended claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius, Giordano-Cisco, Ram-Northern and Cooper-Westinghouse in view of LaPier et al., Cisco Technology, 6,333,931 (Hereinafter LaPier-Cisco).

22. As per claims 8 and 9, Eastep-MCI, Smith-Julius, Giordano-Cisco Ram-Northern and Cooper-Westinghouse teach the claimed limitations rejected under claims 1 and 7. Eastep-MCI, Smith-Julius, Giordano-Cisco Ram-Northern and Cooper-Westinghouse do not specifically mention about a set of rules and actions for providing the telecommunication service and defining a call policy associated with a subscriber.

LaPier-Cisco discloses the well-known concept of a set of rules and actions / a call policy associated with a subscriber for providing the telecommunication service (e.g., col., 5, lines 2 - 64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius, Giordano-Cisco Ram-Northern and Cooper-Westinghouse with the teachings of LaPier-Cisco in order to facilitate a set of rules and actions / a call policy associated with a subscriber for providing the telecommunication service because the call policy would help provide information on how the call in handled. Handling the call using the information of the call policy would help software to process the call for the device.

23. Amended claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius and Giordano-Cisco in view of in view of Truchon et al., Nortel Networks, 6,144,723 (Hereinafter Truchon-Nortel).

24. As per claims 10 and 11, Eastep-MCI, Smith-Julius and Giordano-Cisco teach the claimed limitations rejected under claim 1. Eastep-MCI, Smith-Julius and Giordano-Cisco do not specifically mention about a call control event indicative of a signal received from a telecommunications switch.

Truchon-Nortel discloses the well-known concept of a call control event indicative of a signal received from a telecommunications switch (e.g., col., 4, lines 2 – 62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius and Giordano-Cisco with the teachings of Truchon-Nortel in order to facilitate a call control event indicative of a signal received from a telecommunications switch because the event would provide information of the signal provided by the telecommunications switch. Handling the call using the information of the signal would help software to process the call for the device.

25. Amended claims 26, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eastep-MCI, Smith-Julius and Giordano-Cisco in view of Gulliford et al., Phoenix Wireless Group, 5,995,831 (Hereinafter Gulliford-Phoenix).

26. As per claims 26, 27, Eastep-MCI, Smith-Julius and Giordano-Cisco teach the claimed limitations rejected under claim 24. However, Eastep-MCI, Smith-Julius and Giordano-Cisco do

not specifically mention about the event is a call progress event and maintaining information regarding the present state of an on-going telecommunications service.

Gulliford-Phoenix discloses the well-known concept of the event is a call progress event and maintaining information regarding the present state of an on-going telecommunications service (e.g., col., 5, lines 2 - 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Eastep-MCI, Smith-Julius and Giordano-Cisco with the teachings of Gulliford-Phoenix in order to facilitate the event being a call progress event because the call progress event would help know the progress of the call. Maintaining the information of the progress of the call for the on-going telecommunications service would help software to process the call for the device.

Conclusion

The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

March 9, 2005

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